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LETTER DATED 9 FEBRUARY 1993 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

By resolution 780 (1992) the Security Council requested me to establish a Commission of Experts with a view to providing me with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia. The Commission commenced its work early in November 1992 and held its third session in Geneva on 25 and 26 January 1993, following which it transmitted to me a first interim report, together with a number of ancillary documents, including a report of a preliminary site exploration of a mass grave near Vukovar.

The interim report provides a broad view of the Commission's work to date, its preliminary conclusions on the evidence examined and its views on a number of important legal issues, and describes a plan of work for the next stage of its activities.

I would particularly draw your attention to the following elements of the interim report:

(a) Grave breaches and other violations of international humanitarian law have been committed, including wilful killing, "ethnic cleansing" and mass killings, torture, rape, pillage and destruction of civilian property, destruction of cultural and religious property and arbitrary arrests;

(b) Because of the uneven value of much of the information provided, verification of facts is essential;

(c) The Commission has identified and proposes to carry out on-site investigations of alleged crimes in the Vukovar area, the mass grave near Vukovar, detention camps and the allegations of systematic sexual assaults.

In respect of the proposed investigations, the Commission has indicated that it intends to avail itself of offers of assistance from Governments and non-governmental organizations. It has also requested that I establish a trust fund to assist it in carrying out its mandate.

Finally, in its concluding remarks (para. 74) the Commission notes that should the Security Council or another international organ or body decide to establish an ad hoc war crimes tribunal, such an initiative would be consistent with the direction of its work.

I have examined the interim report carefully and I consider that the Commission has outlined a plan of work which will enable it to carry out its primary mandate, namely, to provide me with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia. I intend, therefore, to ask the Commission to continue its work on the database and to proceed as expeditiously as possible to the verification of facts through the programme outlined in its report. At the same time, I shall set in motion the necessary administrative steps for the establishment of a trust fund.

Given the evident importance of the contents of the interim report and the strong interest manifested by the Security Council in the work of the Commission, I am, therefore, forwarding a copy of the interim report (annex I) and the report of a preliminary site exploration of the mass grave near Vukovar (annex II) to you for the information of the Council. I felt it my duty to take this step at this stage even though the interim report is not the report foreseen in paragraph 4 of Security Council resolution 780 (1992).

(Signed) Boutros BOUTROS-GHALI

Annex I

[Original: English and French]

INTERIM REPORT OF THE COMMISSION OF EXPERTS ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 780 (1992)

26 January 1993

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INTRODUCTION

A. Mandate

1. The Commission of Experts which the Security Council requested the Secretary-General to establish by its resolution 780 (1992) is mandated, under paragraph 2 thereof, to examine and analyse the information submitted pursuant to resolutions 771 (1992) and 780 (1992), together with such further information as the Commission of Experts may obtain through its own investigations or efforts of other persons or bodies pursuant to resolution 771 (1992), with a view to providing the Secretary-General with its conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia.

B. Composition

2. The Commission, whose members sit in their personal capacity, consists of Professor Frits Kalshoven (Netherlands) as Chairman, Professor M. Cherif Bassiouni (Egypt), Mr. william J. Fenrick (Canada), Judge Kéba Mbaye (Senegal) and Professor Torkel Opsahl (Norway), as members.

C. Meetings

3. The Commission held its first two-day session in New York on 4 and 5 November 1992. During that session, it discussed organizational and procedural questions and began dealing with methodological and substantive issues related to its mandate. It also appointed Mr. Fenrick as Rapporteur on Issues of Law.

4. The Commission held its second and third sessions at Geneva from 14 to 16 December 1992 and on 25 and 26 January 1993, respectively. During those sessions, the Commission, adopted its rules of procedure (see appendix), appointed Mr. Bassiouni as Rapporteur on the Gathering and Analysis of Facts, and Mr. Fenrick as Rapporteur for On-site Investigations, and continued its consideration of the issues referred to in paragraph 3 above. At its third session, the Commission discussed and approved the present interim report.

D. References made to the Commission in other United Nations forums

5. At its second session, the Commission took note of the Security Council's request contained in resolution 787 (1992) that it "pursue actively its investigations with regard to grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia, in particular the practice of 'ethnic cleansing'".

6. The Commission furthermore noted that the Commission on Human Rights, in its resolution 1992/S-2/1 of 1 December 1992, had recommended that the Commission of Experts be granted the staff and resources necessary to enable it to act effectively and had requested the Commission to provide its conclusions to the Secretary-General in order to allow the Security Council to consider further appropriate steps towards bringing those accused to justice.

7. Also at its second session, the Commission noted that the Commission on Human Rights in the same resolution and the Third Committee of the General Assembly in a draft resolution adopted on 11 December 1992 a/ had reaffirmed that all persons who perpetrate or authorize crimes against humanity or other grave breaches of international humanitarian law are individually responsible for those breaches and that the international community will exert every effort to bring them to justice, and had called on all parties to provide all pertinent information to the Commission of Experts in accordance with Security Council resolution 780 (1992).

E. Information before the Commission

8. Further to the requests contained in Security Council resolutions 771 (1992) and 780 (1992) and to its own inquiries, the Commission has received several thousand pages of documentation containing allegations of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia. The Commission also had access to video information.

9. As of 26 January 1993, reports containing such allegations b/ had been submitted by Austria, Bosnia and Herzegovina, Croatia, France, Germany, Norway, Slovenia, Ukraine, the United States of America and Yugoslavia. Some of these reports provide data relating to specific allegations which, if supported by evidence, constitute "grave breaches" and other violations of international humanitarian law. Others are of a general character. The Commission would be aided in its task if Governments would submit to it the files upon which these reports are based or more detailed information so that it can gather the data it needs to set up proper investigative files. Communications have also been received from Austria, Canada, Croatia, Denmark, Slovenia, Sweden and Switzerland expressing readiness to assist in the channelling to the Commission of information supplied to the competent national authorities by refugees and other persons having left the war zones. Such information, when received, will be passed on to the Rapporteur on the Gathering and Analysis of Facts. The material provided by Governments reveals that large-scale victimization has taken place.

10. The Commission also had before it reports containing allegations of the type referred to above, originating in various United Nations bodies, intergovernmental organizations, international non-governmental organizations, various national organizations and private sources.

11. The United Nations bodies and authorities concerned include the Special Rapporteur appointed under resolution 1992/S-1/1 of the Commission on Human Rights to investigate first hand the human rights situation in the territory of the former Yugoslavia, the Special Rapporteur of the Commission on Human Rights on Extrajudicial, Summary and Arbitrary Executions, the Office of the United Nations High Commissioner for Refugees (UNHCR), the Human Rights Committee and the United Nations Protection Force (UNPROFOR). These reports also reveal or confirm the occurrence of large-scale victimization. Some of them contain indications of available evidence, others suggest the direction of future investigations.

12. The Conference on Security and Cooperation in Europe (CSCE) has submitted a number of reports, including the report of the CSCE Mission to the detention camps in Bosnia and Herzegovina, the report of the CSCE Human Rights Rapporteur Mission to Yugoslavia, and the report of the Mission to Bosnia and Herzegovina and to Croatia under the Moscow Human Dimension Mechanism of the CSCE. The third of these reports considers the practical implications of determining responsibility for "grave breaches" and other violations of international humanitarian law. Reports have also been received from the European Community, including information originating in the European Community Monitoring Missions and the initial findings of the EC Investigating Mission into the Treatment of Muslim Women in the former Yugoslavia.

13. As of 26 January 1993, communications expressing concern in general terms over events and violations of international humanitarian law had also been received from the following States: Australia, Austria, Belgium, Colombia, France, Iran (Islamic Republic of), Russian Federation and Slovenia. Communications of the same type had furthermore been received from the following intergovernmental forums: Group of Arab States within the United Nations, Conference of Foreign Ministers of the Balkan and Regional Countries, Council of Europe, Council of Ministers of the Western European Union, European Community, Organization of the Islamic Conference, Presidential Council of the Arab Maghreb Union, and Supreme Council of the Gulf Cooperation Council.

14. As of the same date, reports had also been received from a number of international non-governmental organizations. Those reports have proven helpful in enabling the Commission to gather important information. The accounts they contain are often detailed and most closely resemble the type of data that the Commission will require in attributing responsibility for "grave breaches" and other violations of international humanitarian law, subject to the ascertainment of the supporting evidence. The international non-governmental organizations concerned include: Amnesty International, International Committee of the Red Cross (ICRC), Médecins sans frontières, Helsinki Watch, International League for Human Rights, Union for Peace and Humanitarian Aid to Bosnia and Herzegovina and "World Campaign Save Humanity". The Commission would be aided in its task if it were to receive the relevant data that was not included in the reports in question.

15. The reports received vary in substance, nature, content and style. Mostly, as is understandable in view of their very nature, they lack specificity as to pertinent evidence that can be verified.

16. The Commission notes that the reports often show a marked similarity in the conduct of the various parties to the armed conflicts in the area and that such conduct is often of the most reprehensible character. The Commission emphasizes that reprehensible conduct by one party to a conflict is no excuse or justification for the commission of grave breaches or other violations by other parties to the conflict.

I. COORDINATION WITH OTHER BODIES AND ORGANIZATIONS

17. The Commission realizes the importance of coordinating its efforts with those of other United Nations bodies and intergovernmental organizations concerned with the situation in the territory of the former Yugoslavia. It has noted in particular the call contained in resolution 1992/S-2/1 of the Commission on Human Rights for the closest possible coordination with the Special Rapporteur appointed under resolution 1992/S-1/1 of the said Commission, Mr. Tadeusz Mazowiecki. The following arrangements have been made with Mr. Mazowiecki: as a general rule, the preliminary investigation of sites not visited so far that might be the scene, or contain evidence, of possible war crimes are to be carried out under the responsibility of the Special Rapporteur; whenever there appears to be sufficient ground to pursue the matter further, the relevant information will be passed on to the Commission for the action it deems appropriate.

18. Through its Chairman, the Commission has also been in touch with the Co-Chairmen of the International Conference on the former Yugoslavia.

19. The Commission is furthermore maintaining contacts with the CSCE. In a decision adopted on 7 November 1992, the Committee of Senior Officials of the CSCE stated that the Commission of Experts should give particular attention to the principle of personal responsibility for war crimes and re-examine how this principle could be put into practice by an ad hoc tribunal. At the Stockholm Council meeting on 15 December 1992, the Ministers agreed that the proposals on making the principle of formal accountability effective, including the possibility of the establishment of an ad hoc tribunal, should be refined "through continuing consultations with the Commission of Experts". The Commission, considering that its mandate empowered it to engage in consultations on the refinement of the principle of personal responsibility, has designated Mr. Bassiouni, to liaise with the CSCE on this particular aspect.

20. The Chairman, Mr. Bassiouni and Mr. Fenrick met on 24 January with the CSCE Committee, chaired by Mr. Corell, which comprises, in addition to its Chairman, Mr.Türk and Mrs. Thune, to exchange views, at the Committee's request, on the legal, evidentiary and practical problems relating to the establishment of an ad hoc international war crimes tribunal for the former Yugoslavia.

21. Through its Chairman, the Commission has also established contacts with ICRC and with UNHCR.

II. TASKS CARRIED OUT BY THE COMMISSION IN THE DISCHARGE OF ITS MANDATE

A. Examination and analysis of the information

22. The Commission considers that in order to discharge its mandate impartially and objectively, it must systematically analyse all the information before it. It has therefore undertaken the preparation of a database designed to provide a comprehensive, consistent and manageable record of all reported grave breaches of the Geneva Conventions and other violations of international humanitarian law being committed in the former Yugoslavia.

23. In creating the database, particular attention has been paid to securing detailed information by using a uniform reporting form. The database and uniform reporting system are necessitated by the volume of information received and the disparities in the contents and styles of the reports.

24. The Information Report Form which has been developed consists of eight separate sections. The first two sections are the Physical Harm form (1) and the Harm to Property form (2). The next three sections are the identification forms, relating respectively to Victim Identification (3), Perpetrator Identification (4) and Witness Identification (5). The next section is the Location Information form (6), which covers detailed information about the location of the incident being reported. The seventh section is the Evidence form (7), which provides a description of the evidence and its location. The final section is the War Crimes Information form (8), which asks for information specifically related to the qualification of the violation. The database computer entry system is designed to cross-reference data items or sets of items and to identify duplicate information. While each report is summarized during initial entry, provision has been made for entry of the complete document. As a result, it will be possible to conduct searches of documents in a manner which will result in a listing of every database entry which relates to a particular incident, person or location. Then, if necessary, the entire text of relevant documents can be printed. The information entered into the database is translated into tables generated according to the information sought. Cases can then be grouped into tables according to date, location, victim's name, perpetrator's name, etc. These tables will assist in establishing patterns relating to individual perpetrators, armed forces and locations.

25. As of 26 January 1993, approximately 70 per cent of the reports received by the Commission had been drawn into the database. The Commission wishes to place on record its deep appreciation to the Rapporteur on the Gathering and Analysis of Facts for his invaluable contribution to this undertaking.

26. From the analysis carried out so far, the following tentative conclusions emerge.

27. The reported violations of international humanitarian law fall within the following categories: wilful killing; "ethnic cleansing" and mass killings; torture; rape; pillage and destruction of civilian property; destruction of cultural and religious property; arbitrary arrests, forcible deportation, detention and abuse during detention; discriminatory dismissal from employment and harassment; attacks on relief personnel and vehicles; attacks on journalists.

28. The database can only be as effective as the evidence received and the success of the Commission in bringing to light facts bearing upon the responsibility of individuals for grave breaches and other violations of international humanitarian law will first and foremost depend on the type of information submitted. Some reports appear to rely heavily on second-hand and media sources and many fail to provide important data (names of victims, perpetrators, date and specific location). In order for the Commission to conduct an effective investigation, access is required to the files on which reports are based. The Commission has taken note of offers which have been made by several Governments on the communication of files (see para. 9 above) and it intends to avail itself of these offers.

29. In a number of cases, the alleged facts seem to be attributable to groups operating in a disorganized and undisciplined manner under very limited command and control. In the absence of information on military operations (whereabouts of military units, order of battle, movements of militias and civil or military units), it is possible to identify massive victimization but extremely difficult to determine whether such victimization occurred in the context of an armed conflict and to establish chains of command and command responsibility.

30. Information on a single event is often contained in more than one report. Checking the database on such an event may show that the various sources complement each other, thus facilitating further investigation.

B. Identification of cases especially warranting in-depth investigation

31. The Commission understands that the purpose of the Security Council in requesting conclusions on the "evidence" of violations of international humanitarian law is not merely to establish the existence of certain patterns of criminality but also to obtain specific evidence such as an investigative body would need for prosecution purposes. Seen in this perspective, the Commission's task requires in-depth investigations, which, given the volume of the available information and existing practical constraints, can be carried out only on a selective basis. The Commission has identified the prima facie reliability of the source of information, the strength of the evidence, the number of victims, the identity and rank of the persons allegedly responsible

and the gravity of the alleged violations as objective criteria it will apply in the conduct of the selection process. An important concern of the Commission in identifying the cases to be investigated in depth is to discern patterns of behaviour sufficiently consistent to reveal genocide, "ethnic cleansing" or systematic sexual assaults.

C. Verification of facts

32. The reports show that grave breaches and other violations of international humanitarian law have been committed. Tangible evidence of these violations must, however, be secured in the form of testimonies, written statements, identification of victims, pathological/forensic reports, films, photographs and maps of location and other forms of corroborating evidence. The Commission is aware of the difficulties which may arise in this context: evidence may be destroyed either wilfully or as a result of weather conditions and the victims and witnesses may be either difficult to locate or reluctant to supply information due to intimidation and fear of reprisals.

33. Rule 8 of the Commission's rules of procedure, entitled "Investigations", provides as follows:

> "1. The Commission may hear witnesses or experts, on its own initiative or upon proposal by States, international humanitarian organizations, or other persons or bodies. In such cases, the Commission shall determine the modalities for summoning witnesses and experts. States whose nationals have been summoned to appear before the Commission as witnesses or experts may be invited to be present when their nationals are heard.
>
> "2. The Commission may decide to request States to hear witnesses or experts.
>
> "3. The Commission may decide to visit the territory of one or more of the States that formed part of the former Yugoslavia, or any other State, upon invitation or on its own initiative with the consent of any such State. Visits may be carried out by the Commission in its entirety, by one or more of its members, or by staff of the Commission, as decided by the Commission."

34. As far as on-site investigations are concerned, the Commission has noted that some Governments have offered the services of teams of specialized investigators to perform certain functions under the Commission's control. The Commission intends to avail itself of these offers as appropriate.

35. Such missions of investigation, as well as visits of the Commission as are envisaged in paragraph 3 of rule 8 of the rules of procedure, will be preceded by a careful analysis of alleged facts and the gathering of as much corroborating evidence as can be obtained from credible sources, so that the investigative work can be properly focused and lead to concrete and substantial results.

D. Issues of law

1. Applicable rules of international law

36. The armed conflicts in the territory of the former Yugoslavia give rise to various legal issues. These relate to the law to be applied as well as to its interpretation in the light of the facts. The Commission has begun its examination of these issues and offers herein its preliminary views on some of them.

37. Paragraph 2 of Security Council resolution 780 (1992) specifies as the law the Commission is required to apply the Geneva Conventions of 1949, and "international humanitarian law". The Commission interprets the latter phrase to have the same meaning as "rules of international law applicable in armed conflict" as defined in article 2 (b) of Additional Protocol I to the Geneva Conventions, i.e., "rules applicable in armed conflict set forth in international agreements to which the Parties to the conflict are Parties and the generally recognized principles and rules of international law which are applicable to armed conflict".

38. Moreover, these rules are found, first, in the 1977 Additional Protocols to the Geneva Conventions. The former Yugoslavia was a party to these instruments. While the Federal Republic of Yugoslavia considers itself as the successor to that State and, hence, bound by these treaties, Croatia, Slovenia and Bosnia and Herzegovina have declared themselves similarly bound.

39. Other international agreements relevant to the armed conflicts in the territory of the former Yugoslavia include:

- The 1907 Hague Convention IV and the Regulations on the Laws and Customs of War on Land;

- The 1948 Convention on the Prevention and Punishment of the Crime of Genocide;

- The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;

- The 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, with annexed Protocols;

as well as relevant human rights law applicable to the conflicts in the territory of the former Yugoslavia.

40. Apart from the above-mentioned international agreements, the conduct of hostilities in the territory of the former Yugoslavia is governed, as mentioned above, by "the generally recognized principles and rules of international law which are applicable to armed conflict", i.e., by the relevant rules of customary international law. The Commission notes that,

while rules of customary international law may be found in the Geneva Conventions and certain other relevant instruments, some particularly important rules on the protection of civilian populations in armed conflicts are reflected in General Assembly resolutions 2444 (XXIII) and 2675 (XXV) entitled "Respect for human rights in armed conflict" and "Basic principles for the protection of civilian populations in armed conflicts", respectively. Special importance also attaches to the conventions and customary law on crimes against humanity.

2. Application of the rules relating to international armed conflict to the conflicts in the former Yugoslavia

41. Since 1949, the law has distinguished between international armed conflicts and non-international armed conflicts occurring in the territory of a single State (hereinafter, internal armed conflicts). Generally speaking, the rules for internal armed conflict are fewer and less detailed than those applicable to international armed conflicts. In the 1949 Geneva Conventions, the rules for internal conflicts are found in one single article, common article 3. The 1954 Hague Convention on Cultural Property likewise contains one article (article 19) relating to internal armed conflicts.

42. As for the two Additional Protocols adopted in 1977, one (Protocol I) is applicable to international armed conflicts and the other (Protocol II) to internal armed conflicts.

43. Both the 1949 Geneva Conventions and the 1954 Hague Convention leave open the possibility for parties to an internal armed conflict to bring into force, by means of special agreements, all or part of the provisions of these Conventions. The various parties to the successive armed conflicts in the former Yugoslavia have concluded a series of such special agreements.

44. Under existing treaty law, for the Commission to classify the various armed conflicts in the territory of the former Yugoslavia as international or internal ones would require it to determine whether a given situation amounts to an armed conflict at all and, if so, one between two or more States or one being waged in the territory of one State. Further determinant factors would be the dates on which the several States in the region are deemed to have acquired statehood and the dates from which the treaties in question are regarded as applicable to each of them.

45. The Commission is of the opinion, however, that the character and complexity of the armed conflicts concerned, combined with the web of agreements on humanitarian issues the parties have concluded among themselves, justify an approach whereby it applies the law applicable in international armed conflicts to the entirety of the armed conflicts in the territory of the former Yugoslavia.

46. The Commission emphasizes that the applicable rules include the prohibition of genocide, as codified in the Genocide Convention, as well as fundamental norms of human rights law. While the latter have been embodied, and elaborated, in treaties to which the former Yugoslavia was a party, their applicability to the parties to the various armed conflicts in the region may be deemed to derive from their character as peremptory norms of international law.

3. Grave breaches, war crimes, crimes against humanity

47. The Geneva Conventions and Additional Protocol I contain rules on the treatment of grave breaches. While "grave breaches" are carefully defined in each of these instruments, they fall under the general heading of war crimes. The Commission understands the general notion of war crimes as comprising any violation of the law of international armed conflicts, sufficiently serious and committed with the requisite intent to be regarded as a crime.

48. A war crime is usually a crime committed by a person demonstrably linked to one side of an armed conflict against persons or property on the other side. The perpetrator may be a member of the armed forces (as defined in article 43 of Protocol I) or a civilian. The issue of a demonstrable link is of particular relevance where victims and offenders are of the same nationality or from countries which are on the same side of a conflict. The Commission intends to address this issue in due course.

49. The notion of crimes against humanity as defined in conventional international law and as applied in customary international law is considered by the Commission to be applicable to these conflicts. The Commission regards as crimes against humanity gross violations of fundamental rules of humanitarian and human rights law committed by persons demonstrably linked to a party to the conflict, as part of an official policy based on discrimination against an identifiable group of persons, irrespective of war and the nationality of the victim.

50. The Commission notes that fundamental rules of human rights law often are materially identical to rules of the law of armed conflict. It is therefore possible for the same act to be a war crime and a crime against humanity.

4. Command responsibility

51. A person who gives the order to commit a war crime or crime against humanity is equally guilty of the offence with the person actually committing it. This principle, expressed already in the Geneva Conventions of 1949, applies both to military superiors, whether of regular or irregular armed forces, and to civilian authorities.

52. Superiors are moreover individually responsible for a war crime or crime against humanity committed by a subordinate if they knew, or had information

which should have enabled them to conclude, in the circumstances at the time, that the subordinate was committing or was going to commit such an act and they did not take all feasible measures within their power to prevent or repress the act.

53. Military commanders are under a special obligation, with respect to members of the armed forces under their command or other persons under their control, to prevent and, where necessary, to suppress such acts and to report them to competent authorities.

5. Superior orders

54. A subordinate who has carried out an order of a superior or acted under government instructions and thereby has committed a war crime or a crime against humanity, may raise the so-called defence of superior orders, claiming that he cannot be held criminally liable for an act he was ordered to commit. The Commission notes that the applicable treaties unfortunately are silent on the matter. The Commission's interpretation of the customary international law, particularly as stated in the Nuremberg principles, is that the fact that a person acted pursuant to an order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact available to him.

6. "Ethnic cleansing"

55. The expression "ethnic cleansing" is relatively new. Considered in the context of the conflicts in the former Yugoslavia, "ethnic cleansing" means rendering an area ethnically homogeneous by using force or intimidation to remove persons of given groups from the area. "Ethnic cleansing" is contrary to international law.

56. Based on the many reports describing the policy and practices conducted in the former Yugoslavia, "ethnic cleansing" has been carried out by means of murder, torture, arbitrary arrest and detention, extra-judicial executions, rape and sexual assault, confinement of civilian population in ghetto areas, forcible removal, displacement and deportation of civilian population, deliberate military attacks or threats of attacks on civilians and civilian areas, and wanton destruction of property. Those practices constitute crimes against humanity and can be assimilated to specific war crimes. Furthermore, such acts could also fall within the meaning of the Genocide Convention.

57. The Commission is mindful of these considerations in the examination of reported allegations.

7. Rape and other forms of sexual assault

58. Throughout the various phases of the armed conflicts in the former Yugoslavia, reports have referred to allegations of widespread and systematic rape and other forms of sexual assault. Such reports have become more frequent, raising urgent concerns, and have led to several specific investigations into these allegations.

59. Acts such as rape, enforced prostitution or any form of sexual assault against women are explicitly prohibited in the relevant treaties in force. Superiors who authorize or tolerate the commission of such acts or who fail to take all practicable measures to prevent or suppress them are also culpable.

60. The Commission will examine the question whether the systematic commission of such acts, or the development and encouragement of a policy encouraging such acts, should be regarded as crimes in themselves and, if so, as war crimes or crimes against humanity.

III. INVESTIGATION OF MASS GRAVE SITES

61. The Commission has not awaited the completion of the database to undertake verification of particularly disturbing allegations. Responding to urgent and repeated calls in particular from Mr. Vance, Co-Chairman of the International Conference on the former Yugoslavia, and from the Commission on Human Rights in paragraph 13 of its resolution 1992/S-2/1, the Commission has arranged for an immediate investigation by a team of forensic experts of the mass grave of Ovcara, near Vukovar, in United Nations Protected Area (UNPA) East which was discovered during Mr. Mazowiecki's second mission to the area. To that end, the Commission engaged the services of Physicians for Human Rights, a non-governmental organization. Under the Cooperation Service Agreement concluded between the United Nations and Physicians for Human Rights, a team of forensic experts is to carry out the investigation of mass graves, under the control and supervision of the Commission. Although no direct contractual link exists between the Organization and the experts, the latter are accorded the status of expert on mission, which, given the nature of their mission, affords them the necessary protection. In this respect, the Cooperation Service Agreement is consistent with the existing procedures for obtaining the use of civilian personnel provided by Governments in peace-keeping operations,, whereby civilian personnel so provided are accorded the status of expert on mission for the United Nations, under article VI of the Convention on the Privileges and Immunities of the United Nations, notwithstanding the absence of a direct contractual link between them and the United Nations (see report of the Secretary-General, A/45/502, of 18 September 1990). The services are provided at no cost to the Organization, and Physicians for Human Rights is made responsible for payment of all salaries and benefits, including, in particular, adequate life and medical insurance coverage to the experts.

62. The report on the first phase of the investigation conducted on the site by Physicians for Human Rights was before the Commission at its third session. The conclusions of the report include the following:

(1) A mass execution took place at the grave site;

(2) The grave is a mass grave, containing perhaps as many as 200 bodies;

(3) The remote location of the grave suggests that the executioners sought to bury their victims secretly;

(4) There is no indication that the grave has been disturbed since the time of execution and interment;

(5) The grave appears to be consistent with witness testimony that purports that the site is the place of execution and interment of the patients and medical staff members who disappeared during the evacuation of Vukovar Hospital on 20 November 1991. However, before that determination can be made with scientific certainty, the grave will need to be excavated and a number of bodies will need to be identified using forensic methods and procedures;

(6) There are indications that at least some of the bodies are those of Croatians.

63. The Commission of Experts has noted that, pursuant to Commission on Human Rights resolution 1992/S-1/1, and at the request of the Special Rapporteur on the human rights situation in the territory of the former Yugoslavia, the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has conducted preliminary investigations into allegations of burial of victims of war crimes in various mass graves in the former Yugoslavia, especially in Croatia. The objective is to determine to what extent these allegations can be considered prima facie reliable. If, as a result of these investigations, it could be reasonably assumed that some or all of these sites contain the remains of persons who were victims of war crimes, the findings of the Special Rapporteur would be forwarded to the Commission of Experts.

64. The mission of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions was conducted from 15 to 20 December 1992. In the preliminary investigation and assessment of the sites visited, the Special Rapporteur was assisted by one member of the team of forensic experts referred to in paragraph 61 above. The findings will form part of the report of the Special Rapporteur on the situation of human rights in the former Yugoslavia to the Commission on Human Rights at its forty-ninth session.

IV. PROJECTED PLAN OF WORK

65. The Commission intends to complete the database as fast as possible since this alone can provide the foundation for the formulation of conclusions on the evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law.

66. For the reasons given in paragraph 31 above, the Commission intends to engage in selective in-depth investigations in the following general areas:

(a) Mass killings and destruction of property;

(b) Treatment of prisoners and detainees;

(c) Systematic sexual assaults;

(d) "Ethnic cleansing".

67. As short-term objectives the Commission intends:

(a) To conduct further investigations into mass killings and destruction of property in the Vukovar area by expanding the scope of the various investigations conducted by forensic experts from Physicians for Human Rights and by deploying a team of military lawyers, police investigators, and necessary support personnel to the Vukovar area;

(b) To conduct an on-site investigation into the treatment of prisoners and detainees at two or more camps or detention centres at places in Bosnia and Herzegovina yet to be specified;

(c) To study all available reports on systematic sexual assaults and determine as soon as possible the most effective way to approach the problem and whether on-site investigations should be undertaken;

(d) To study all available reports on "ethnic cleansing" and determine as soon as possible the most effective way to approach the problem and whether on-site investigations should be undertaken.

68. The Commission intends to avail itself of the offer of the Canadian Government to provide an investigative team and to use that team to commence the investigation of offences in the Vukovar area as soon as possible. The Commission does not, at present, have investigative teams at its disposal to conduct the investigations referred to in subparagraph 67 (b) or to conduct the potential on-site investigations referred to in subparagraphs 67 (c) and (d) above.

V. RESOURCES AND BUDGETARY REQUIREMENTS

69. The Commission has been provided with a budget for a period of nine months from 1 December 1992. It covers the compensation and travel of the members, as well as the travel and subsistence of two staff members sent over from the Office of Legal Affairs at Headquarters. It also provides for general temporary assistance, the latter object permitting only the recruitment of two secretaries. Any other costs have thus been left for absorption by the ordinary budget of the Organization.

70. To carry out its task, including the work on the database and in-depth investigations, additional means are required. As noted in paragraphs 34 and 68 above, the Commission intends to avail itself of the offers some Governments have already made. More will be needed, however, in terms of financial and personnel resources.

71. The Commission will make every effort to obtain such additional resources and it will, in particular, request the establishment of a trust fund to receive voluntary contributions intended to help the Commission carry out its mandate.

VI. CONCLUDING REMARKS

72. Jurisdiction for war crimes is governed by the universality principle and, hence, is vested in all States, whether parties to the conflict or not. Although the Genocide Convention emphasizes territorial jurisdiction, it also establishes the jurisdictional basis for an international tribunal. It is well recognized that the principle of universality can also apply to genocide as well as to other crimes against humanity.

73. States may choose to combine their jurisdictions under the universality principle and vest this combined jurisdiction in an international tribunal. The Nuremberg International Military Tribunal may be said to have derived its jurisdiction from such a combination of national jurisdictions of the States parties to the London Agreement setting up that Tribunal.

74. The Commission was led to discuss the idea of the establishment of an ad hoc international tribunal. In its opinion, it would be for the Security Council or another competent organ of the United Nations to establish such a tribunal in relation to events in the territory of the former Yugoslavia. The Commission observes that such a decision would be consistent with the direction of its work.

Notes

a/ This draft resolution was adopted by the General Assembly on 18 December 1992 as resolution 47/147.

b/ Namely, allegations directly related to the situation in the territory of the former Yugoslavia.

Appendix

Rules of procedure of the Commission

Rule 1. Mandate

The Commission shall examine and analyse the information submitted by States, international humanitarian organizations, or other persons or bodies pursuant to Security Council resolutions 771 (1992) and 780 (1992), as well as such further information as the Commission may obtain through its own investigations or efforts, with a view to providing the Secretary-General with its conclusions on the evidence of grave breaches of the Geneva Conventions of 12 August 1949 and other violations of international humanitarian law committed in the territory of the former Yugoslavia.

Rule 2. Meetings and quorum

1. The Commission shall hold its meetings in private but may open them to the public as and when it deems it necessary for the enhancement of the effectiveness of its work.

2. The Commission shall meet at such times as it may designate; meetings may otherwise be called by the Chairman, as a rule with at least one week's notice.

3. The Chairman may declare a meeting open when at least a majority of the members of the Commission are present. The presence of a majority of the members shall be required for any decision to be taken.

Rule 3. Restraint in the disclosure of information

Members of the Commission shall exercise restraint in disclosing information. They shall refrain from taking a stand in public on any confidential question under discussion in the Commission. The Chairman will make information on the work of the Commission available to the extent he deems it appropriate.

Rule 4. Powers of the Chairman

The Chairman shall declare the opening and closing of each meeting of the Commission and, at such meetings, shall direct the discussions, accord the right to speak, put questions to the vote, announce decisions, rule on points of order and have complete control of the proceedings.

Rule 5. Secretariat

The Secretary of the Commission shall be responsible for making all arrangements connected with the work of the Commission including arrangements for the meetings of the Commission. He or she shall distribute documents and materials to the members of the Commission as requested by the Commission, its

Chairman or any member thereof, and shall be responsible for the preparation of the records of the meetings of the Commission.

Rule 6. Records

1. The Commission will be provided with records of its meetings in English and French.

2. The Commission will arrange for the safe keeping and conservation of its records and files. After the conclusion of its work, the Commission will transmit its records and files to the Secretary-General of the United Nations.

Rule 7. Participation of States, international humanitarian organizations, or other persons or bodies

The Commission may invite States, international humanitarian organizations, or other persons or bodies to participate in its discussions, when the Commission deems it necessary for the enhancement of the effectiveness of its work.

Rule 8. Investigations

1. The Commission may hear witnesses or experts, on its own initiative or upon proposal by States, international humanitarian organizations, or other persons or bodies. In such cases, the Commission shall determine the modalities for summoning witnesses and experts. States whose nationals have been summoned to appear before the Commission as witnesses or experts may be invited to be present when their nationals are heard.

2. The Commission may decide to request States to hear witnesses or experts.

3. The Commission may decide to visit the territory of one or more of the States that formed part of the former Yugoslavia, or any other State, upon invitation or on its own initiative with the consent of any such State. Visits may be carried out by the Commission in its entirety, by one or more of its members, or by staff of the Commission, as decided by the Commission.

Rule 9. Decisions

The Commission will make every effort to take its decisions by consensus. In the absence of consensus, decisions of the Commission will be taken by a majority of the members present and voting.

Rule 10. Reports

1. The Commission may designate a rapporteur for any question of a general or specific nature.

2. The Commission shall report its conclusions to the Secretary-General in accordance with Security Council resolution 780 (1992).

3. Members of the Commission who wish to make a separate statement may have such a statement appended to the report.

Rule 11. Other procedural matters

Any procedural matters arising at a meeting which are not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure applicable to Committees of the General Assembly.

Annex II

[English only]

REPORT OF A PRELIMINARY SITE EXPLORATION OF A MASS GRAVE NEAR VUKOVAR, FORMER YUGOSLAVIA

19 January 1993

Physicians for Human Rights
100 Boylston Street
Suite 702
Boston, Massachussetts 02116
Tel. 617/695-0041
Fax. 617/695-0307

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REPORT OF A PRELIMINARY SITE EXPLORATION OF A MASS GRAVE NEAR VUKOVAR, FORMER YUGOSLAVIA

I. Executive Summary

On 17-19 December 1992, a 4-member international forensic team, assembled by Physicians for Human Rights, conducted a preliminary site exploration of a mass grave approximately 6 km southeast of the city of Vukovar, in the territory of former Yugoslavia. The work was carried out under the auspices of the United Nations Commission of Experts, with escort and assistance provided by the United Nations Protection Forces (UNPROFOR), Sector East.

Based on the preliminary site exploration, the forensic team concludes:

1. A mass execution took place at the gravesite.

2. The grave is a mass grave, containing perhaps as many as 200 bodies.

3. The remote location of the grave suggests that the executioners sought to bury their victims secretly.

4. There is no indication that the grave has been disturbed since the time of execution and interment.

5. The grave appears to be consistent with witness testimony that purports that the site is the place of execution and interment of the patients and medical staff members who disappeared during the evacuation of Vukovar Hospital on 20 November 1991. However, before that determination can be made with scientific certainty, the grave will need to be excavated and a number of bodies will need to be identified using forensic methods and procedures.

6. The fact that two bodies bore knecklaces with Roman Catholic crosses--one bearing a small metal plate with the inscription "BOG I HRVATI" (God and Croatians)--suggests that the grave is likely to contain the remains of Croatians.

The forensic team proposes to return to Vukovar in mid-March to continue its investigation of the site. This phase will entail the complete excavation of the grave and the removal of all of the bodies for medicolegal examination. To complete its investigation, the forensic team will need the full support and cooperation of the United Nations and interested governments as

specified elsewhere in this report.

II. Introduction

On 17-19 December 1992, a 4-member international forensic team, assembled by Physicians for Human Rights (PHR), conducted a preliminary site exploration of a mass grave approximately 6 km southeast of Vukovar, in the territory of former Yugoslavia. The work was carried out under the auspices of the United Nations Commission of Experts ("Commission"), which is charged under U.N. security resolution 780 (1992) to collect and analyze evidence of grave breaches of the Geneva Conventions and other violations of international humanitarian law committed in the territory of the former Yugoslavia. The members of the forensic team were Mr. Eric Stover, PHR executive director; Dr. Clyde Collins Snow, forensic anthropologist; Dr. Rebecca Ann Saunders, archeologist; and Dr. Morris Tidball-Binz, medical doctor.

The grave was discovered by Dr. Snow and members of the UNPROFOR Civilian Police (UNCIVPOL) in an isolated wooded area southeast of the farming village of Ovcara, near Vukovar, on 18 October 1992. A preliminary inspection of the site revealed three young adult male skeletons partially exposed by erosion and animal scavengers. Two of the skeletons bore signs of perimortem trauma (see Appendix A, Photo 1). Soon after the discovery of the grave, UNPROFOR authorities took immediate action to insure round-the-clock security of the site.

The discovery of the Ovcara site is consistent with witness testimony of the disappearance of about 200 patients and medical staff members from the Vukovar Hospital during the evacuation of Croation patients from that facility on 20 November 1991.[1] At that time, the hospital held several hundred civilian and military patients, most of whom had been wounded in the heavy fighting in and around Vukovar during the preceeding months. When Serbian forces occupied the hospital in mid-November, both sides agreed that the approximately 420 Croatian patients should be evacuated to Croatian-held territory. According to this agreement, the evacuation was to be monitored by representatives of the European Monitoring Mission and the International Committee of the Red Cross.

However, according to witnesses, reservists and Yugoslav National Army (JNA) officers and soldiers separated the lightly

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[1]See Annex II, U.N. Commission on Human Rights, "Report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission of Human Rights," E/CN.4/1992/S-1/10, 27 October 1992, p. 13-14.

wounded military and civilian males from the other patients and boarded them on several buses near the hospital. Among this group were a number of male hospital workers. The buses, each containing about 60 prisoners and two JNA guards, were driven to the JNA barracks in Vukovar at about 11:00. At 14:00 the buses proceeded to Ovcara where the men were transferred to a large building used as a garage for farm equipment and vehicles. While moving from the buses to the building, the men were beaten by JNA soldiers and Serbian paramilitaries with a variety of blunt instruments. The beatings continued for several hours inside the building. According to witness testimony, at least 2 men were beaten to death.

At about 18:00 that same day, JNA soldiers divided the prisoners into groups of about 20 men. One by one, each group was loaded onto a truck and driven away. At intervals of about 15 to 20 minutes, the truck returned empty and another group was loaded onto it. According to witness testimony, the truck left the building and turned onto a paved road that leads to Grabovo, a village about 3 km southeast of Ovcara. A few minutes later, the truck made a left turn onto a dirt field road. This road ran between a cultivated sunflower field on the left and a heavily wooded area on the right.

Given the estimates of time and distance between the farm building and from the description of the roads used, only one location fits the description: the dirt field road turning off the main road at 1.1 km southeast of the Ovcara complex. This track runs northeast, between a cultivated field on the left and a heavily wooded ravine on the right. The area where the skeletons were discovered is located at the head of the ravine, at 0.9 km from where the field road turns off the main road (see Appendix B, Map 1).

III. Field Report

The forensic team established five principal goals to be achieved during the on-site archeological survey. First, a detailed record and map of surface features of the site was to be completed. Second, a thorough surface survey of the site was to be conducted to determine if there was any evidence of a mass execution at or near the site. Third, a test trench was to be excavated through the site to establish the presence of a mass grave. Fourth, the site was to be examined so as to determine if it had been disturbed after the initial burial. Finally, preliminary forensic data were to be prepared for the skeletons exposed on the surface of the site.

Surface Information

The site (hereafter referred to as OVC.1) lies at the northeast end of a ravine running northeast to southwest through cultivated fields (see Appendix B, Map 1). We arrived at the site around 10:30 on 17 December 1992. The perimeter of the site was secured with two rows of concertina wire. The UNPROFOR guard station, manned by Russian soliders, lay about 40 meters northeast of OVC.1; sentries were posted at intervals on the field road and in the fields surrounding OVC.1.

Before we conducted a surface survey of OVC.1, a UNPROFOR demining team checked the area for booby-traps and anti-personnel mines. The deminers found no such devices.

OVC.1 was located in a slough which contained large piles of fill dirt around the northern edge. This dirt contained garbage, including large animal bone (cow and pig), 5 gallon cans, veterinary supplies, and glass bottles, apparently derived from the farm. A dense secondary growth of burr bushes had volunteered in this fill. The gravesite, cut through these burr bushes and lacking vegetation except around the borders, was quite visible. Topographic features of the site included a large bulldozer pushup pile at the southeastern edge. This, and a clear blade impression running through the center of the grave, indicated that a bulldozer had been used to excavate and/or backfill the grave.

Our test trench, discussed below, demonstrated that the edges of the grave were defined by intermittent fracture lines in the earth, created as the grave settled and the more recently disturbed fill of the grave pulled away from the compacted fill dirt that served as the matrix (see Appendix B, Map 3). While the width of the grave was established in the area of the test trench (6.8 meters), the complete dimensions of the grave have not yet been determined. It may be significant that no bone was observed eroding out of the ditch in the southwest corner of the site.

Other surface features of the site included the remains of two individuals, referred to as Surface Skeleton 1 (SSK.1) and Surface Skeleton 2 (SSK.2). (A third individual, unnumbered and unexamined to date, is visible in a hole towards the northeastern edge of the grave.) As the appellations suggest, both these individuals had become fully skeletonized. The former was exposed on top of the pushup pile at the southeastern edge of the grave. When the site was first visited by Dr. Snow and UNCIVPOL personnel only the left humerus was visible. During their reconnaissance, additional elements of the skeleton were uncovered, including the cranium, left scapula, left ribs, and the left iliac crest, as well as some clothing. These remains were left undisturbed until we arrived at the site on 17

December. Presumably this individual was caught up in the blade of the bulldozer during the final stages of backfilling. It is likely that no part of the body was visible a year ago, but that erosion of the soft dirt on top of the pushup pile subsequently exposed the humerus.

SSK.2 was located southeast of the site down a small footpath leading into the interior of the slough. Some longbones and additional clothing belonging to this individual were found spread out along the path. Rodent gnawing on some of these bones indicated that animals were possibly the agents of the dispersal of SSK.2. The main concentration of bones, including the cranium, ribs, and pelvis, was off to the left of the path some 17 meters from the edge of the gravesite proper.

The age of the vegetation in the area of SSK.2 indicated that there had been no filling and that the soils had not been disturbed within at least 5 years. Hence, another subsurface grave site attributable to the events at Vukovar is unlikely in this area.

SSK.1 and SSK.2 were removed from their locations and subjected to a preliminary forensic examination. These data are presented in Appendix C. Both of these individuals were males and the cause of death in both cases was gunshot wounds to the head. The skeletal remains and clothing of SSK.1 and SSK.2 were placed in large plastic bags by the forensic team. These bags were put at the extreme eastern end of the test trench and were covered with dirt as the test trench was backfilled.

Prior to any subsurface testing of the grave, a thorough surface survey was conducted in the area. Two kinds of evidence recovered during this survey indicated that an execution had occurred at the site. First, a large concentration of spent 7.62 mm cartridges of the type used in Kalishnikov firearms were found in the burr bushes northwest of the gravesite (see Appendix A, Photo 2). Some of these cartridges, as well as a "Serbian ammunition box," had been taken from the site by UNPROFOR personnel prior to our visit. However, well over 75 spent cartridges remained in the area. In contrast, no cartridges were present on the northeastern side of the grave or to the south. The locations of some cartridges were identified with pink flagging tape. Moreover, it is likely that a more thorough search, including inspection of the surface soil and grasses at this location, will reveal more spent cartridges.

The second, related, type of evidence consisted of numerous bullet scorings on the small acacia trees southeast of the site, including one tree just north of SSK.2 (see Appendix A, Photo 3). Bullets also penetrated a rusted vehicle chassis in the area.

Subsurface Information

The presence of the two skeletons with gunshot trauma and the spent cartridges did not constitute sufficient evidence to indicate that the site was a mass grave. To confirm the interment of numerous individuals, we excavated a 1 meter by 7 meter test trench across the site. (The trench was later expanded 1 meter to the west in order to ensure that the western boundary of the grave was within the unit.) The test trench was established within a 7 meter by 9 meter unit that encompassed the major topographic features of the site. It should be noted, however, that the northern (or northwestern) edge of the gravesite, which could not be established on the basis of fracture lines, may lie 1 to 2 meters outside the unit. This distance is derived from the fact that spent cartridges were found on the surface at this distance from the northern edge of the unit.

Shovels were used to remove the fill within the test trench. When human remains were exposed in one portion of the trench, that area was pedestaled. Excavation ceased when human remains were exposed throughout the trench.

Because no individual was completely uncovered, and the individuals were buried with no consistent orientation, the exact number of individuals was impossible to determine. However, approximately nine individuals were exposed in the test trench (see Appendix B, Map 3). The shallowest interment was that of Test Trench Burial (TTB.3), which was located at just 22 centimeters below ground surface. The remainder of the burials were deeper, beginning around 60 centimeters below ground surface.

In contrast to the surface skeletons, the subsurface burials were quite well preserved. Clothing was more or less intact. Most tissue was present as adipocere; skin and hair were present. The deeper burials appeared bloated. While further excavation will prove unpleasant, the good preservation promises excellent recovery of both soft tissue and skeletal data.

A number of spent cartridges, one unspent projectile, and one tracer cartridge were recovered from the test trench during excavation. These were plotted and bagged. Three of the cartridges, including the tracer, were found below ground surface in the westernmost 1-meter of the trench, or outside the grave as presently defined. This may mean that these cartridges were present in the fill or that the western boundary of the grave may have to be revised. The bags containing all the cartridges were placed inside the larger bag containing the remains of SSK.2 and secured with that skeleton.

Excavation inside the grave proper ceased at about 80 centimeters below ground surface. We did attempt to determine the total depth of the grave by digging a deeper test, or "sondage," within the trench at the extreme eastern edge of the grave. It was possible to follow the contour of the fill of the grave as it was distinct in color and texture from that of the surrounding fill matrix. Unfortunately, however, TTB.2 was against the wall of the grave and grave fill cut in sharply underneath that individual. Not wanting to undercut and destabilize this individual, we abandoned the sondage.

Before leaving the site, the team lined the floor of the trench with plastic sheeting and backfilled the trench.

Summary of Findings

Based on the preliminary site survey, the findings of the forensic team are as follows:

1. A bulldozer was used to cut through the secondary growth along the margins of the slough and to dig a grave within the pre-existing fill. The grave was approximately 9 X 7 meters. The exact boundaries of the grave, however, remain to be defined.

2. A mass execution took place at OVC.1. The executioners apparently lined up along the northern boundary of the grave, approximately 4 meters from the field road, and fired at their captives to the south and southeast. During the firing, spent cartridges were ejected to the right and many fell into the burr bushes on the southwest side of the grave. The bodies were then covered over by the bulldozer.

3. OVC.1 is a clandestine mass grave. The number of individuals within the relatively small "window" of the test trench, as well as the disposition of the bodies, indicate that a mass grave is present and that it may contain as many as 200 bodies. The remote location of the grave suggests that the executioners intended to bury their victims secretly. Moreover, it appears that SSK.2 may have been attempting to flee the scene, but was shot and left lying in the wooded area behind the grave.

4. There is no indication that OVC.1 has been disturbed since the time of execution and interment.

5. OVC.1 appears to be consistent with witness testimony that purports that the site is the place of execution and interment of the patients from Vukovar Hospital. However, before that determination can be made with scientific certainty, OVC.1 will need to be excavated and a number of bodies will need to be identified using forensic methods and procedures.

6. Finally, the fact that two bodies bore knecklaces with Roman Catholic crosses--one bearing a small metal plate with the inscription "BOG I HRVATI" (God and Croatians)--suggests that the grave is likely to contain the remains of Croatians (see Appendix A, Photo 4).

IV. Antemortem Information

In Zagreb, the forensic team met with doctors who are members of the Joint Commission to Trace Missing Persons and Mortal Remains. This commission, which is comprised of Croatian and Serbian doctors and forensic specialists, meets periodically in Budapest to exchange information about persons believed to have been killed or are missing as a result of the war. We received from the commission a list of the names, and some antemortem information, of those patients and medical personnel from the Vukovar Hospital who are still missing (see Appendix D). The commission will continue to gather antemortem data.

The forensic team gave members of the commission photographs of the necklaces found on SSK.1 and SSK.2, as well as a photograph the small figurine of a saint found wrapped in cloth on SSK.2. These photographs should be distributed to relatives of the missing from Vukovar Hospital.

V. Recommendations: Excavation & Medicolegal Investigation

The forensic team is now ready to begin the second phase of the investigation of OCV.1. This phase will entail the complete excavation of the grave and the removal of all of the bodies for laboratory analysis. At present, the forensic team plans to return to Vukovar in mid-March to continue the excavation of Ocv.1. The excavation phase will take 3-4 weeks; the medicolegal examination phase will take 4-6 weeks.

To complete the investigation of the Ovcara grave, the forensic team will require the full support and cooperation of the U.N. Secretary General, the U.N. Security Council, the U.N. Commission of Experts, UNPROFOR, and interested governments which may be called on to provide logistical support. The forensic team will require the following commitments and logistical support:

1. The U.N. Commission of Experts should appoint one of its members to act as a direct liaison with the forensic team.

2. The U.N. Secretary General and/or the U.N. Security Council should instruct all U.N. agencies to cooperate and provide logistical support to the forensic team during the course of the investigation of OVC.1 and other mass grave sites. They

should also call on governments to assist the forensic team by providing it with the various logistical supplies specified below.

3. The U.N., at the highest level, should issue a written statement to the effect that the Ovcara grave is under U.N. jurisdiction. The U.N. should authorize the Commission of Experts, through its forensic team, to remove the bodies and other artefacts from the grave so that they may be examined in a secure place. The U.N. should also instruct UNPROFOR to provide additional protection for the site during the course of the excavation. This procedure should be followed in all subsequent investigations of individual or mass graves associated with apparent war crimes in the territory of former Yugoslavia.

4. On-site Excavation: The forensic team will need the following supplies in order to carry out the excavation of the grave in a quick and efficient manner:

- Four (4) container units, similar to the ones now being supplied to UNPROFOR by the Finnish government. Two (2) of the containers should be a refrigeration unit, which should be used to store the bodies either on the site or at the Vukovar Barracks. An alternative would be several "temp tents," similar to those used by the United States military.

- Two (2) water pumps and a generator to drain water from the site.

5. Vukovar Barracks: For security reasons, the forensic team should be housed in the Vukovar Barracks (UNPROFOR) for the duration of the excavation. This will require:

- Five (5) housing units and 1 shower/disinfecting unit similar to the ones supplied to UNPROFOR by the Finnish government.

6. Transportation of the Bodies: To maintain security and chain-of-custody of the bodies and other artefacts from the site, UNPROFOR should be in charge of transporting them from the grave to the Vukovar Barracks and then, by air or overland, to UNPROFOR headquarters at the Zagreb airport.

7. Medicolegal Examination: The medicolegal examination of the bodies and artefacts will be conducted by an international team of forensic specialists in pathology, radiology, physical anthropology, and odontology. The team will need a facility that has hot and cold running water, adequate space and lighting, ventilation and heating, X-ray capabilities, basic autopsy tables, and refrigeration units for storage of the bodies. If

the facility is located in Zagreb, it will need to be kept under UNPROFOR jurisdiction to maintain security and chain-of-custody. Our first choice would be to conduct the medicolegal examination of the bodies in the area where the 212 U.S. Mash Unit is now operating at the Zagreb airport. However, X-ray units would need to be brought in. An alternative would be to transport the bodies to an vacant hangar or warehouse near a military air base (or possibly a civilian airport) somewhere in Europe. The international forensic team could examine the bodies at this facility, so long as it was equipped with the items listed above.

After the forensic team completes its medicolegal examination, the bodies should be handed over to the Joint Commission to Trace Missing Persons and Mortal Remains, based at the University of Zagreb Medical School.

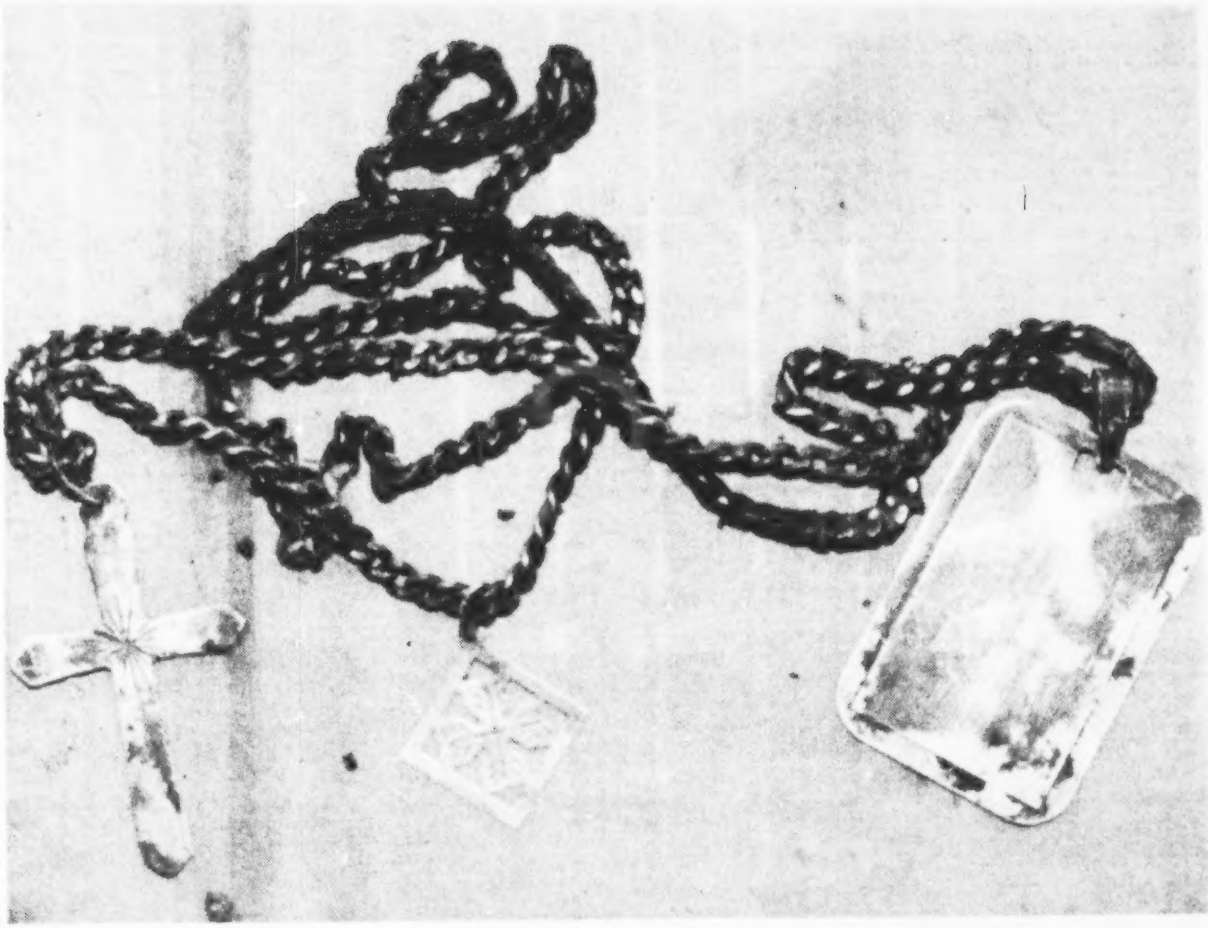
APPENDIX A

(Photographs)

Surface Skeleton 1: Skull exhibits two externally-beveled exit wounds on the left cranial vault.

Red flag markers indicate where clusters of spent cartridges were found next to the grave.

Numerous bullet scorings were found on the small acacia trees southeast of the grave.

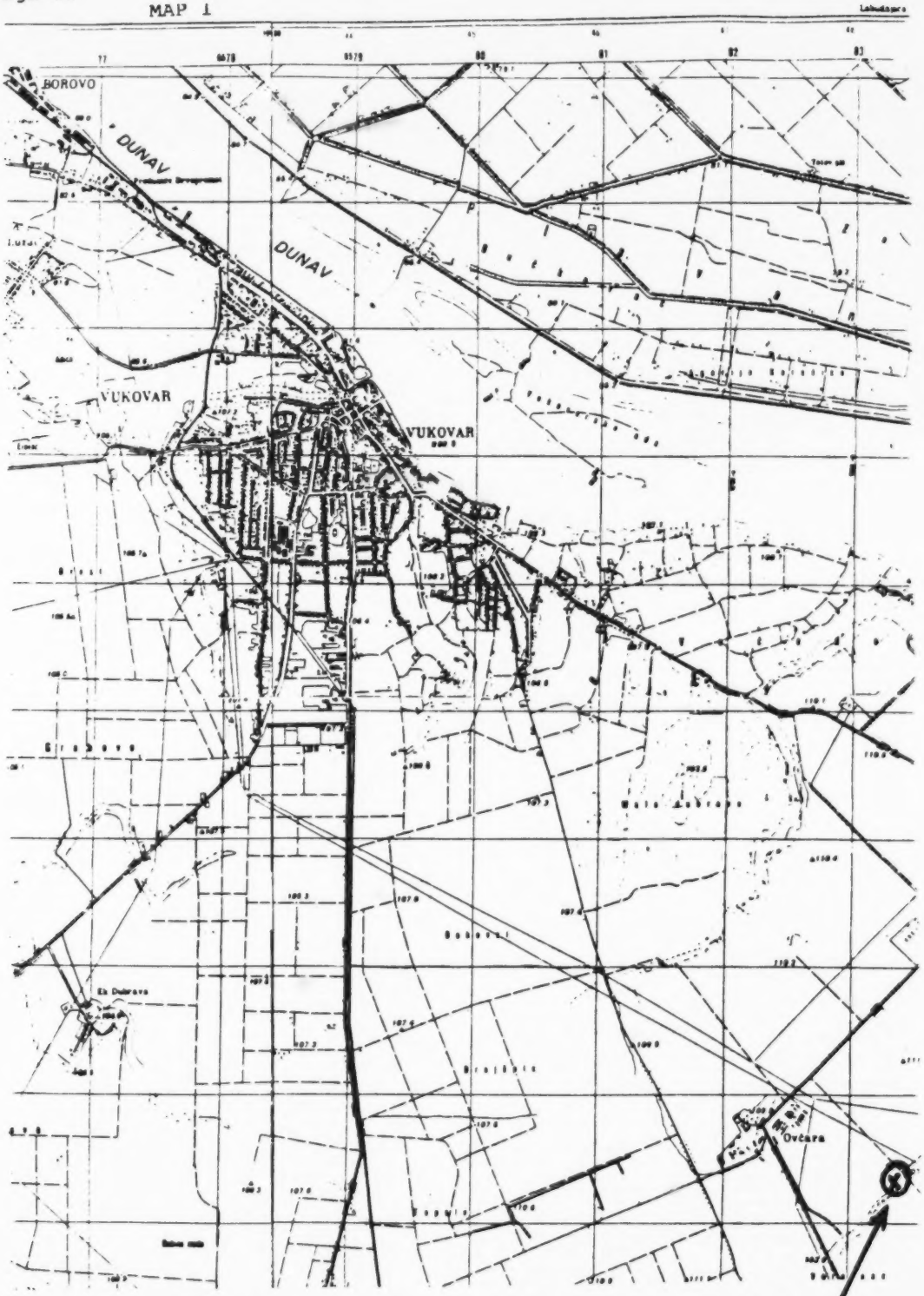


Surface Skeleton 1: This necklace contaed a medallion with the inscription "BOG I HVARTI."

APPENDIX B

(Maps)

MAP 1

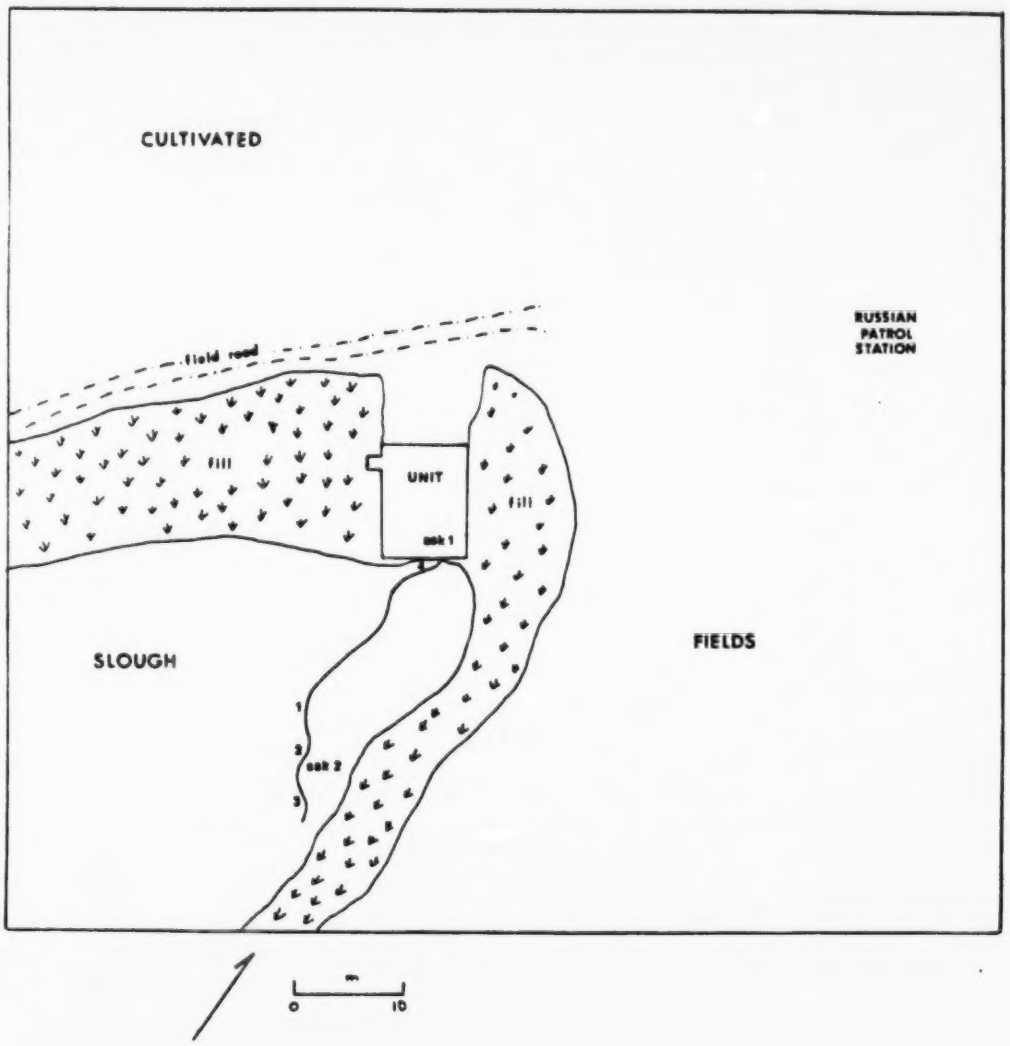


Scale: 1/25,000

Gravesite
(OVC.1)

/...

MAP 2 -- OVC.1 Site Map



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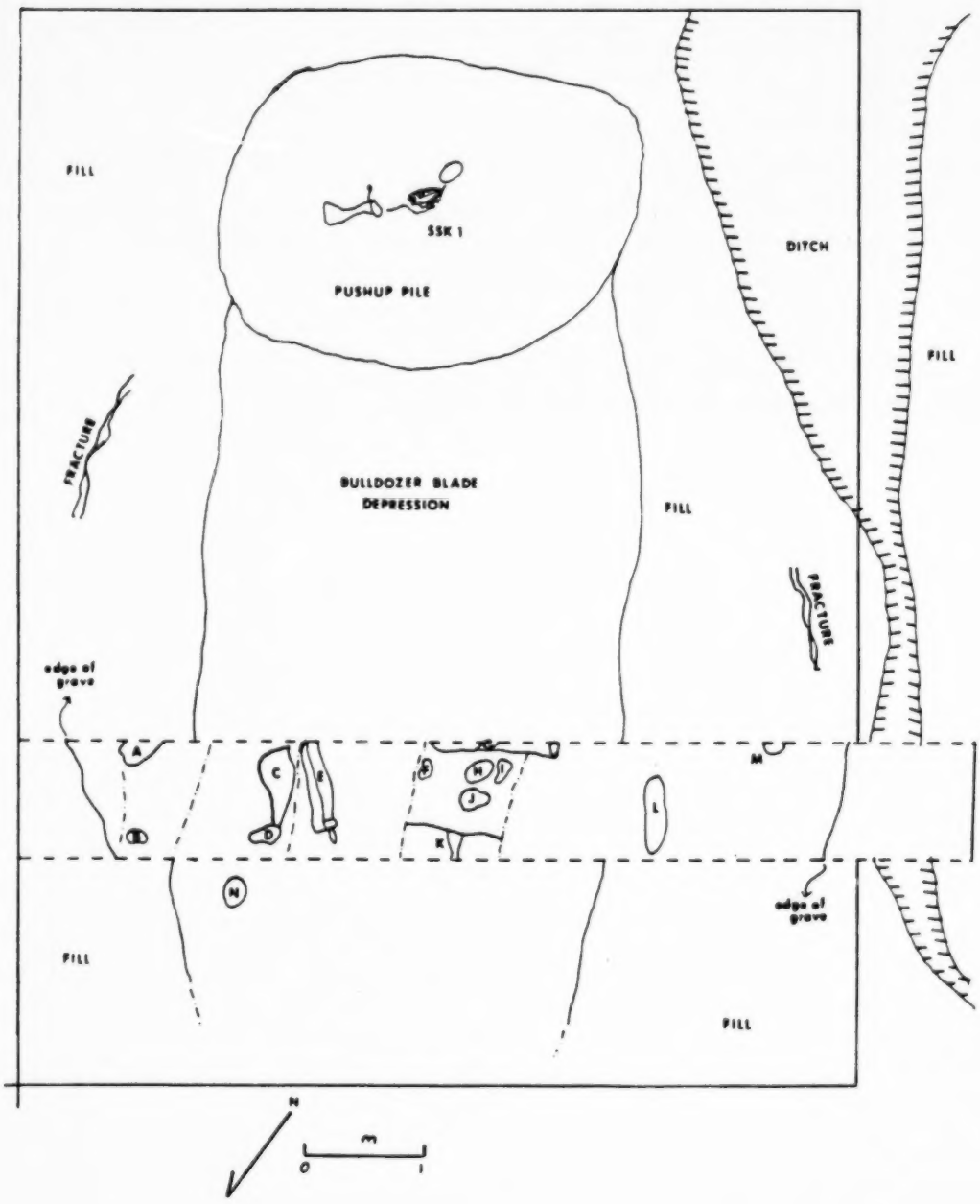
Map 2. OVC.1 Site Map.

Key:

1. Left tibia and fibula of SSK 2.
2. Right tibia and fibula of SSK 2.
3. Human ribs and sweatshirt probably belonging to SSK 2.
4. Vehicle chassis with bullet holes.

MAP 3 -- OVC.1 Unit with Test Trench



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Map 3. OVC.1 Unit with Test Trench.

Key:

A. Soft tissue, depth .68 meters below ground surface (mbgs).
B. Clothing, Test Trench Burial 2, depth .72 mbgs.
C. Possible pants leg, depth .57 mbgs.
D. Boot or shoe, depth .48 mbgs.
E. Shirt, with hand exposed, Test Trench Burial 3, depth .22 mbgs.
F. Clothing, depth .64 mbgs.
G. Pants leg with sock, Test Trench Burial 4, depth .44 mbgs.
H. Skin, depth .50 mbgs.
I. Clothing, depth .50 mbgs.
J. Cranium, Test Trench Burial 5, depth .58 mbgs.
K. Sweater, belt, pants, Test Trench Burial 6, depth .74 mbgs.
L. Clothing, Test Trench Burial 7, depth .37 mbgs.
M. Sock, Test Trench Burial 8, depth .51 mbgs.

Note: No Test Trench Burial 1 number was assigned. Numbers given are those burials photographed individually. Estimated number of individuals exposed within the trench is nine.

APPENDIX C

(Preliminary Forensic Reports)

APPENDIX C

PRELIMINARY DESCRIPTIONS OF TWO SKELETONS FOUND ON SURFACE AT OVCARA SITE ONE

Both of these skeletons were found on the surface at the Ovcara site. They were examined in the field under less than optimum conditions so that the results presented here should be considered preliminary until a more complete and adequate examination can be made under laboratory conditions. After examination, the each skeleton, along with its associated clothing was placed in a labelled plastic bag and buried in the exploratory test trench in order to secure them until they can be recovered for a more detailed examination.

SURFACE SKELETON #1 (SSk1)

This skeleton was first observed during the initial examination of the site on October 18, 1992. It was located in the area of pushed-up earth at the southeastern section of the site. Initially, only the left humerus was exposed. Some of the earth was cleared from around the skull and left shoulder skeleton. A gunshot wound of exit was observed in the left temple.

Since at that time UNPROFOR officials were concerned that the site might be disturbed or even destroyed by locals before it could be properly secured, the left scapula was photographed in situ, labelled and removed in order to serve as evidence that human remains were indeed present at the scene when it was first examined. The remaining bones were left undisturbed. The scapula remained in custody of SECTOR EAST CIVPOL authorities until we returned in December to more fully explore the site. At that time, it was returned to the site and reburied with the other SSK1 remains in the test trench.

Determination of Sex

The skeleton is diagnosed as male on the basis of pelvic morphology. The innominate bones display the typical masculine features of a highly-arched iliac crest, acute sciatic notch, everted ischiopubic ramus and the subtriangular pubes. Cranial morphological features are also strongly male and include large supraorbital brow ridges, robust mastoid processes and strongly developed nuchal musculature margins.

Age at Death

Long bone epiphyses, including the medial clavicular, are fully closed, although the latter displays signs of fairly recent union. The first and second sacral segments are unfused. These findings are consistent with an age of around 23 to 31 years. This range can be narrowed somewhat based on pubic symphsial

morphology. Using the McKern-Stewart standards the pubic symphysis is scored at 4, 2.5, 1 corresponding to a pubic age of about 23 ± 2 years. Therefore, a final age estimate of around 25 ± 3 years appears reasonable.

Diagnosis of Race

Cranial morphological features are strongly Caucasoid. These include the mesocranic vault, long face, relatively narrow nasal aperture and high nasal bridge.

Antemortem Stature

Using the Trotter-Glesser regression equations for calculating antemortem stature of Caucasoid males from the combined lengths of the femur (476 mm) and tibia (405 mm), antemortems stature is estimated at 178 cm with a SEest of 3.00 cm. This yields a .95 probability range of 172 to 184 cm.

Handedness

Scapular beveling, long bone musculature attachments are more strongly developed on the right. The right forearm bones exceed the left in length by several millimeters. These features indicate that the decedent was right-handed.

Individuation

The skeleton displayed no apparent signs of anomalies or antemortem pathologies which might be reflected in the decedent's medical history. However, since this examination was conducted under field condtions, the presence of such features should not be entirely ruled out until a more detailed laboratory examination of the flesh-free bones can be made.

Dentally, the strong labial displacement of the right maxillary canine would be a feature recognised by the family and friends of the decedent. It might also be apparent in any photographs of the decedent shown smiling.

Dental Observations

Pending a detailed examination and charting of the dentition under laboratory conditions, only the salient dental findings will be noted. These were as follows:

Tooth No. (Universal)	Condition
1.	Not present
4.	Occluso-distal amalgam filling
6.	Buccal displacement by #7
7.	Strong lingual displacement
10.	Missing antemortem
16.	Not present
18.	Missing antemortem
19.	Missing antemortem
20.	Small gold foil filling?
30.	Massive caries, alveolar abcess
31.	Massive caries

Clothing

The following clothing items were found with the remains:

1. Loose-knit black sweater
2. Black or dark-blue T-shirt bearing "LINATTENOY"
3. Red long underwear
4. Levi-Straus blue jeans, made in Yugoslavia
5. Heavy leather belt with iron buckle
6. Red socks

In addition to the above items, a leather shoe was found near the remains but was not directly associated with them.

Personal Effects

These consisted of three items suspended from a chain found around the decedent's neck: 1. metal cross, 2. small gold clover leaf, 3. a silver-colored medallion bearing the inscription "BOG I HVARTI"

Time of Death

This estimate is based on the general condition of the remains which were partially disarticulated, but retaining consideralble amounts of soft tissue in an advanced state of decomposition. The cranial cavity still contained a large mass of semi-liqufied cerebral tissue. Considering the fact that the remains were still partially earth-covered when first examined a time of death of 6-18 months prior to discovery seems reasonable.

Cause of Death

A single, small caliber gunshot entrance wound is located in the right parietal, 1 cm posterior to the coronal suture and 4 cm right of the saggital suture. Two irregularly-shaped, externally-beveled exit wounds are present on the left cranial vault. The anteriormost is in the left pterionic region; the posterior wound is in the left temporal squama immediately posterior to the transverse temportal crest. Additionally, there is a large defect in the petrous portion of the temporal bones.

The observed trauma is consistent with a single bullet entering the right parietal and passing transversely, inferiorly and slightly posteriorly to exit as three fragments in the left pterio-temporal region

SUMMARY OF FINDINGS: SSk1

This skeleton is that of a adult caucasoid male who was between 23 and 28 years old at the time of death which occurred about 6-18 months prior to the first examination of the body in December, 1992. He was around 178 ± 6 cm tall and right-handed. The cause of death was a gunshot wound of the head, with the bullet entering the right side of the cranial vault with downward and backward transverse trajectory.

SURFACE SKELETON #2 (SSk2)

This skeleton was first observed on the intial visit to the Ovcara site on October 18, 1992. It was lying in the southeast of the mass grave burial in an area wooded by small acacia saplings, along a path leading away from the burial site. The main concentration, including the skull, pelvis and most of the trunk and extremity bones lay immediately to the left of the path. This area apparently marked the original location of the body. Several extremity bones, some ribs, as well as some of the clothing were found several meters from the main concentration - apparently they had been drug away by small animal scavengers. at some stage of post-mortem decomposition. Many of the bones showed damage caused by gnawing by small rodents. At the time of intial discovery, the bones were left in situ. Upon our return in December, the site was found undisturbed except for the cranium which had been moved approximately one meter from its original location. This may have been done by an medical officer of the UNPROFOR BritMed Unit who later reported that he made an inspection of the site on October 19, before it had been fully secured by RUSSBAT troops.

Determination of Sex

Sex was determined to be male on the basis on pelvic morphology which displayed the typical masculine features of a highly-arched iliac crest, narrow subpubic and sciatic angles, everted ischio-pubic rami and subtriangular pubes. Cranial features were also robustly male and included large mastoids, heavy surpraorbital brow ridges and strongly developed nuchal musculature attachements.

Estimation of Age

Long bone epiphyses, including the medical clavicular were fully closed as were the sacral S1-2 segments. These findings are consistent with an age of at least 24 years at the time of death. Pubic symphsial morphology also suggested an age in the mid-20s. A final age estimate of 24 to 32 years appears reasonable.

Diagnosis of Race

Cranial racial indicators are strongly Caucasoid. These include the mesocranic cranial vault, relatively long facial skeleton, narrow nasal aperture, and salient nasal bridge and orthognathous facial profile.

Antemortem Stature

As noted above, small animals had damaged most of the long bones of the extremities, leaving only the left radius intact. This measured 255 mm. Using the Trotter-Glesser equations for predicting antemortem stature from the radius in caucaosid males, an estimate of 175.6 cm ± 4.3 SEest. is derived. From this, a .95 probability range for stature is 167 to 184 cm.

Handedness

Scapular beveling was pronounced on the right. The right forearms displayed heavier muscle attachments and were slightly longer than the left. These findings indicate that the decedent was right-handed.

Individuation

No skeletal evidence of old anomalies, injuries or diseases which would be reifected in the decedent's medical history were observed. However, since the examination was made in the field, such findings may be discovered when a fuller examination of the cleaned bones can be made under laboratory conditions.

Dental Observations

The dentition displays a number of features which would be undoubtedly reflected in his dental records should these be obtained. Until a fuller examination can be made under laboratory conditions, the following observations should be considered provisional.

TOOTH NO. (Universal)	OBSERVATION
2.	Occlusal amalgam
3.	Mesio-occlusal & disto-lingal amg.
13. - 16.	Missing antemortem
18.	Occluso-buccal amg.
19.	Mesio-occluo-distal amg.
20.	Occlusal amg.
22.	Lingually displaced
28.	Mesio-occlusal amg.
29.	Occlusal amg.
30.	Mesio-occlusal-distal amg.
31.	Mesio-occlusal-buccal amg.

Clothing

Clothing found with the victim consisted of a dark blue sweatshirt. On the front is the legend "QUEBEC CANADIAN PACIFIC" below which appears "Candian Pacific". On the back there is a winter scene with a skier in the foreground, ice skaters in the background. To the right of the skier are the words "Winter Sport" and below that "Candian Pacific".

ERIC: DOUBLE CHECK ABOVE AGAINST PHOTOGRAHS. ALSO, WHAT HAPPENED TO THE "UNIVERSITY TENNIS CLUB" SHIRT?

Personal Effects

A gold chain with two crosses and a small gold horseshoe inset with a ladybug. Also found was a small clear plastic pouch containg a small gold-colored statuette of a male saint holding a child.

Time of Death

The skeleton was completely disarticulated with the exception of the pelvic elements and some of the vertebral segments. Other soft tissue remnents were limited to tags of dried ligaments and hair. Based on the condition of the bones, and the exposure environment, time of death is estimated at about 6-18 months prior to examination of the skeleton in December, 1992.

Cause of Death

Perimortem trauma consisted of almost complete destruction of the midfacial area. The fracture pattern is consistent with a wounds caused by high-velocity gunshot. However, until the remains can be more fully examined under laboratory conditions, the diagnosis of fatal gunshot injury must be considered provisional.

SUMMARY OF FINDINGS: SSk2

The skeleton is that of a caucasoid male who was somewhere between 24 and 32 years of age at the time of his death which occurred about 6-18 months prior to examination. He was around 176.6 cm tall (167-184 cm .95 p range) and right-handed. Perimortem destruction of the midfacial skeleton is consistent with a high-velocity gunshot wound to the head.

APPENDIX D

(List of Missing Persons from the Vukovar Hospital and the Vukovar Area, prepared by the Joint Commission to Trace Missing Persons and Mortal Remains)

List of Missing Persons from Vukovar Hospital
and the Vukovar Area
Provided by the Joint Commission to Trace
Missing Persons and Mortal Remains

NO.	NAME	JC#	CRC	DOB	AGE
1	ADZAGA, JOSIP		PO	05/21/49	42.5
2	AHMETOVIC, ISMET		CV	11/14/68	23.0
3	ALVIR, IVICA		VR	11/03/65	26.0
4	ANIC-ANTIC, JADRANKO	1	VR	04/19/59	32.6
5	ANTOLOVIC, VLADIMIR		CV	06/26/47	44.4
6	ARNOLD, KRESIMIR		CV	04/18/58	33.6
7	ASADJANIN, ILIJA		ME	01/01/50	41.9
8	BABIC, DRAZEN (JOSIP)		VR	10/01/66	25.1
9	BAINRAUCH, IVAN		ME	06/21/56	35.4
10	BAKETA, GORAN		PO	06/28/60	31.4
11	BALAS, STEJEPAN		CV	05/01/56	35.6
12	BALOG, DRAGUTIN		VR	06/19/74	17.4
13	BALOG, JOSIP		VR	11/25/28	63.0
14	BALOG, ZVONIMIR	3	VR	01/10/58	33.9
15	BALVANAC, DJURO	4	VR	07/17/52	39.3
16	BANOZIC, BORIS		VR	02/02/67	24.8
17	BARANJAJ, PERO		CV	12/23/68	22.9
18	BARANJEK, IVAN		ME	04/05/39	52.6
19	BARBARIC, BRANKO	5	VR	11/01/67	24.1
20	BARBIR, LOVRO		CV	11/01/35	56.1
21	BARTA, ANDJELKO	6	VR	01/31/67	24.8
22	BATARELO, JOSIP	7	VR	03/12/47	44.7
23	BATARELO, ZELJKO	8	VR	10/25/55	36.1
24	BAUMGERTNER, TOMISLAV		PO	02/27/73	18.7
25	BEGCEVIC, MARKO		CV	04/01/68	23.6
26	BEGOV, ZELJKO	9	VR	09/30/58	33.1
27	BEGOVIC, DURO		CV	01/08/62	29.9
28	BESINGEN, VON HARLAN	10	VR	08/25/71	20.2
29	BESTRCAN, STEJEPAN		VR	12/05/72	19.0
30	BINGULA, STJEPAN		VR	10/10/58	33.1
31	BJELANOVIC, RINGO	12	VR	11/24/70	21.0
32	BLAZEVIC, ZLATKO	13	VR	02/24/64	27.7
33	BODROZIC, ANTE		VR	06/07/53	38.5
34	BOSAK, MARKO	284	CV	07/12/67	24.4
35	BOSANAC, DRAGUTIN	247	CV	08/20/19	72.3
36	BOSANAC, TOMISLAV	15	VR	03/05/41	50.7
37	BOSNJAKOV, JOSIP		VR	09/05/60	31.2
38	BOZAK, IVAN		ME	01/12/58	33.9
39	BRACIC, ZVONKO	17	VR	07/04/70	21.4
40	BRADARIC, JOSIP	18	VR	03/02/49	42.7
41	BRAJDIC, JOSIP		CV	03/16/50	41.7
42	BUOVAC, IVAN		ME	09/03/66	25.2
43	BUZIC, ZVONKO	19	VR	08/27/55	36.2
44	CALETA, ZVONKO		PO	02/24/53	38.7
45	COLAK, IVICA	21	VR	09/26/65	26.1
46	CRK, KARLO		PO	07/30/42	49.3
47	CRNJAC, IVAN	20	VR	03/18/66	25.7
48	CUPIC, MLADEN	22	VR	05/19/67	24.5
49	DALIC, TIHOMIR		PO	11/02/66	25.0
50	DJUKIC, PERICA	29	VR	09/23/53	38.2

51	DJUKIC, VLADIMIR	30	VR	02/21/48	43.7
52	DOLISNJI, IVICA	23	VR	11/26/60	31.0
53	DOMIC, SILVA		CV	01/30/62	29.8
54	DOSEN, IVAN	24	VR	01/04/58	33.9
55	DOSEN, MARTIN	25	VR	02/19/52	39.8
56	DOSEN, TADIJA	26	VR	01/01/50	41.9
57	DRAGUN, JOSIP	27	VR	09/09/62	29.2
58	DUDAR, SASA		VR	03/05/78	13.7
59	DUVNJAK, STANKO	28	VR	05/25/59	32.5
60	EBNER, VINKO		VR	04/07/61	30.6
61	EDELINSKI, GORAN		VR	07/29/75	16.3
62	FIRI, IVAN	33	VR	06/01/15	76.5
63	FITUS, KARLO	34	VR	01/01/64	27.9
64	FRISCIC, DRAGUTIN	35	VR	11/02/58	33.0
65	FURUNDZIJA, PETAR		CV	11/30/49	42.0
66	GAJDA, ROBERT		VR	12/27/66	24.9
67	GALIC, MILENKO		VR	12/10/65	25.9
68	GALIC, VEDRAN	37	VR	01/01/73	18.9
69	GARVANOVIC, BORISLAV	38	VR	11/23/54	37.0
70	GASPAR, ZORAN	39	VR	03/14/71	20.7
71	GAVRIC, DRAGAN	205	ME	10/31/56	35.1
72	GLAVASEVIC, SINISA	40	VR	11/04/60	31.0
73	GOJANI, JOZO		CV	01/01/66	25.9
74	GOLAC, KRUNOSLAV		CV	07/06/59	32.4
75	GRAF, BRANKO		CV	09/12/55	36.2
76	GRANIC DRAGAN	41	VR	01/01/60	31.9
77	GREJZA, MILAN	42	VR	06/27/59	32.4
78	GRUBER, ZORAN		VR	09/05/69	22.2
79	GRUJIC, LUKA		VR	08/16/57	34.3
80	GUDELJ, DRAGO	45	VR	09/09/40	51.2
81	GUDELJ, SINISA		VR		
82	GUDELJ, ZDRAVKO		VR	01/31/59	32.8
83	GUZIC, MARIJA	174	VR	10/14/55	36.1
84	GVOZDANOVIC, ANA		VR	04/15/26	65.6
85	HEGEDUS, TOMISLAV		PO	11/02/53	38.0
86	HEGEDUSIC, MARIO	51	VR	06/26/72	19.4
87	HERMAN, IVO		VR	05/14/69	22.5
88	HERMAN, STJEPAN	50	VR	03/10/55	36.7
89	HINCAK, ZVONIMIR	52	VR	09/08/55	36.2
90	HLEVNJAK, NEDELJKO	53	VR	01/08/64	27.9
91	HOLJEVAC, NIKICA	54	VR	04/10/55	36.6
92	HORVAT, VIKTOR		CV	08/17/48	43.3
93	HUSNJAK, NEDJELJKO	55	VR	06/30/69	22.4
94	ILES, ZVONIMIR		CV	12/12/41	49.9
95	IMBRISIC, IVICA		VR	02/13/57	34.8
96	IVAN, ZLATKO	57	VR	12/25/55	35.9
97	IVANIKA, IVAN	58	VR	09/10/67	24.2
98	IVEZIC, ALEKSANDAR	182	VR	12/05/50	41.0
99	IVIC, BARTOL		CV	08/22/29	62.2
100	JAJALO, MARKO	59	VR	10/27/57	34.1
101	JAKUBOVSKI, MARTIN	60	VR	04/01/71	20.6
102	JALSOVEC, LJUBOMIR	64	VR	11/02/57	34.0
103	JAMBOR, TOMO	63	VR	03/03/66	25.7
104	JANIC, MIHAJLO	66	VR	10/08/39	52.1
105	JANJIC, BORISLAV	61	VR	09/08/56	35.2
106	JANTOL BORIS	62	VR	09/21/59	32.2
107	JARABEK, ZLATKO		ME	06/21/56	35.4
108	JERGOVIC, TOMISLAV		VR	04/29/63	28.6
109	JEZIDZIC, IVICA	67	VR	11/05/57	34.0
110	JOSIC, JANJA		VR	09/08/41	50.2

111	JOVAN, ZVONIMIR	70	VR	07/04/67	24.4
112	JOVANOVIC, BRANKO		VR	02/04/55	36.8
113	JOVANOVIC, OLIVER		VR	12/01/72	19.0
114	JUKIC, TADIJA	226	PO	11/11/45	46.0
115	JULARIC, GORAN		CV	02/15/71	20.8
116	JURELA, DAMIR	71	VR	04/25/69	22.6
117	JURELA, ZELJKO		PO	06/30/56	35.4
118	JURENDIC, DRAGO	72	VR	04/23/66	25.6
119	JURISIC, MARKO	73	VR	08/17/46	45.3
120	JURISIC, PAVO		PO	08/28/66	25.2
121	JURISIC, ZELJKO		CV	10/01/63	28.1
122	KACIC, IGOR	74	VR	08/23/75	16.2
123	KAPUSTIC, JOSIP	75	VR	12/08/65	25.9
124	KELAVA, KRESIMIR	76	VR	01/17/53	38.8
125	KIRALJ, DAMIR	78	VR	07/17/59	32.3
126	KIRALJ, DAMIR	77	VR	03/10/64	27.7
127	KISPECO, ALEKSANDAR		CV	12/09/88	2.9
128	KISPECO, IGOR		CV	09/23/87	4.2
129	KISPECO, JULIJAN		CV	08/12/56	35.3
130	KISPECO, MIRJANA		CV	12/19/59	31.9
131	KITIC, GORAN	79	VR	02/23/66	25.7
132	KNEZEVIC, ANKA	80	VR	04/30/34	57.6
133	KNEZIC, DJURO		ME	04/02/37	54.6
134	KOBAS, ANTUN		VR	01/01/72	19.9
135	KOLAK, TOMISLAV		VR	07/22/62	29.3
136	KOLAK, VLADIMIR		VR	01/20/66	25.8
137	KOLOGRANIC, DUSKO	83	VR	10/23/50	41.1
138	KOMORSKI, IVAN		CV	06/22/52	39.4
139	KONJEVOD, TOMISLAV		VR	10/21/60	31.1
140	KOSIR, BOZIDAR	86	VR	09/28/57	34.1
141	KOSTENAC, BONO		CV	02/15/42	49.8
142	KOSTOVIC, BORISLAV	85	VR	12/24/62	28.9
143	KOVAC, IVAN		PO	06/18/53	38.4
144	KOVAC, MLADEN	87	VR	08/20/58	33.3
145	KOVACEVIC, ZORAN		VR	04/16/62	29.6
146	KOVACIC, DAMIR	89	VR	07/14/70	21.4
147	KOZUL, JOSIP		CV	03/08/69	22.7
148	KRAJINOVIC, IVAN		VR	10/14/66	25.1
149	KRAJINOVIC, ZLATKO		ME	12/04/69	22.0
150	KRASIC, IVAN	91	VR	06/18/64	27.4
151	KREZO, IVICA	92	VR	09/10/63	28.2
152	KRISTICEVIC, KAZIMIR	93	VR	06/13/59	32.4
153	KRIZAK, IVAN		VR	08/22/42	49.2
154	KRIZAN, DRAGO		PO	11/21/57	34.0
155	KRUNES, BRANIMIR		VR	02/28/66	25.7
156	LENDEL, TOMISLAV		PO	08/06/57	34.3
157	LENDEL, ZLATKO		PO		
158	LEROTIC, ZVONIMIR		VR	09/13/60	31.2
159	LESIC, TOMISLAV	95	VR	05/17/50	41.5
160	LET, MIHAJLO	290	CV	04/25/56	35.6
161	LETICA, SLOBODAN		VR	10/20/56	35.1
162	LILI, DRAGUTIN	97	VR	01/26/51	40.8
163	LJUBAC, HRVOJE		VR	01/26/71	20.8
164	LONCAR, TIHOMIR		CV	03/28/55	36.6
165	LONCAREVIC, ROBERT	98	VR	12/07/59	32.0
166	LOVRIC, JOKO		VR	11/06/68	23.0
167	LOVRIC, JOZO	99	VR	07/15/53	38.3
168	LUCIC, MARKO		VR	09/08/54	37.2
169	LUKENDA, BRANKO		PO	04/14/61	30.6
170	MAGDIC, MILE	100	VR	03/25/53	38.7

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171	MAGOC, PREDRAG		VR	12/18/65	25.9
172	MAJIC, ROBERT	102	VR	02/23/71	20.7
173	MALANCUK, MARIJA		CV	03/08/35	56.7
174	MALOVIC, PETAR	103	VR	06/27/59	32.4
175	MALOVIC, SVETISLAV		CV	04/03/52	39.6
176	MANDIC, MARKO		ME	07/26/53	38.3
177	MARIJANOVIC, MARTIN	104	VR	08/17/59	32.3
178	MARKOBASIC, RUZICA		CV	09/18/59	32.2
179	MAZAR, IVAN		CV	11/20/34	57.0
180	MEDES, ANDRIJA		CV	08/13/37	54.3
181	MEDESI, ZORAN	105	VR	01/03/64	27.9
182	MENGES, GORAN	106	VR	01/10/70	21.9
183	MERIC, OHRAN	107	VR	07/10/56	35.4
184	MIHOVIC, TOMISLAV		ME	06/23/52	39.4
185	MIKLETIC, JOSIP		PO	02/26/52	39.7
186	MIKULIC, ZDRAVKO		VR	03/15/61	30.7
187	MIKULIC, ZVONKO	109	VR	05/11/69	22.5
188	MILIC, GRETA		CV	01/24/84	7.8
189	MILIC, SLAVKO		CV	04/17/55	36.6
190	MILJAK, ZVONIMIR		VR	05/10/50	41.5
191	MISIC, IVAN		VR	12/22/68	22.9
192	MLINARIC, MILE		VR	12/05/66	25.0
193	MOKOS, ANDRIJA		VR	11/16/55	36.0
194	MOLNAR, ALEKSANDAR	112	VR	04/08/65	26.6
195	MUDRI, BORISLAV		VR	06/17/38	53.4
196	MUTVAR, ANTUN	114	VR	01/31/69	22.8
197	NADJ, DARKO	115	VR	02/27/65	26.7
198	NADJ, FRANJO		CV	08/17/35	56.3
199	NEJASMIC, IVAN	255	CV	10/19/58	33.1
200	NICOLIER, JEAN MICHEL	116	VR	07/01/66	25.4
201	NJIRJAK, GORAN	190	VR	01/21/70	21.8
202	OMEROVIC, MERSAD		VR	01/01/70	21.9
203	OMEROVIC, MUFAT		VR	01/31/68	23.8
204	ORESKI, IVAN	119	VR	04/12/50	41.6
205	PAJIC, TIHOMIR	120	VR	05/10/70	21.5
206	PAPP, TOMISLAV		PO	01/01/63	28.9
207	PATARIC, ZELJKO		VR	07/17/59	32.3
208	PAVIC, SLOBODAN		VR	10/07/52	39.1
209	PAVOLOVIC, ZLATKO		CV	11/19/63	28.0
210	PERAK, MATO		VR	11/28/61	30.0
211	PERKO, ALEKSANDAR	170	VR	03/17/67	24.7
212	PERKOVIC, DAMIR	123	VR	10/28/65	26.1
213	PERKOVIC, JOSIP	124	VR	03/24/63	28.7
214	PERKOVIC, THOMIR		VR	06/21/61	30.4
215	PETROVIC, STJEPAN		CV	10/26/49	42.1
216	PINTER, NIKOLA		PO	10/04/40	51.1
217	PLAVSIC, IVAN	126	VR	03/24/39	52.7
218	POLHERT, DAMIR		PO	11/22/62	29.0
219	POLOVINA, BRANIMIR		CV	06/22/50	41.4
220	POSAVEC, STANKO		VR	04/09/52	39.6
221	POTHORSKI, JANJA		VR	11/17/31	60.0
222	PRAVDIC, TOMO		ME	11/01/34	57.1
223	PUCAR, DMITAR	129	VR	01/01/49	42.9
224	RADIC, ZVONKO	130	VR	08/03/63	28.3
225	RAGUZ, IVAN		VR	04/22/53	38.6
226	RASIC, FRANJO		VR	04/16/54	37.6
227	RATKOVIC, KRESIMIR	132	VR	03/04/68	23.7
228	RAZIC, JOSIP		VR	11/17/69	22.0
229	REDZIC, IVAN		VR	12/23/66	24.9
230	RIBICIC, MARKO	135	VR	11/11/51	40.0

231	RIMAC, SALVADOR		VR	11/06/70	21.0
232	ROHACEK, KARLO		CV	10/21/42	49.1
233	ROHACEK, ZELJKO		CV	05/16/71	20.5
234	SAITI, CEMAN		CV	09/17/60	31.2
235	SAJTOVIC, MARTIN		CV	04/14/28	63.6
236	SAMARDZIC, DAMJAN		VR	07/23/46	45.3
237	SARIK, STJEPAN		ME	04/02/55	36.6
238	SASKIN, SEAD	145	VR	03/22/60	31.7
239	SAVANOVIC, TIHOMIR	137	VR	07/17/64	27.3
240	SEGEC, BOZIDAR		VR		
241	SENCIC, IVAN	138	VR	02/21/64	27.7
242	SINDILJ, VJEKOSLAV	260	CV	01/01/71	20.9
243	SOTINAC, STJEPAN	139	VR	11/25/39	52.0
244	SPUDIC, PAVAO	140	VR	07/16/65	26.3
245	SRENK, DJURO		ME		
246	STANIC, MARKO		VR	08/02/58	33.3
247	STANIC, ZELJKO	142	VR	01/01/68	23.9
248	STEFANKO, PETAR		CV	05/05/42	49.5
249	STEFULJ, DRAZEN	147	VR	01/01/63	28.9
250	STEVANOVIC, ZLATKO		VR	04/27/75	16.6
251	STOJANOVIC, IVAN		VR	03/19/49	42.7
252	STUBICAR, LJUBOMIR		VR	07/12/54	37.4
253	TABACEK, ANTUN		PO	06/05/58	33.5
254	TADIC, TADIJA	148	VR	08/15/59	32.3
255	TARLE, DUJO	149	VR	05/06/50	41.5
256	TEREK, ANTUN		CV	10/06/40	51.1
257	TISLIARIC, DARKO	150	VR	06/01/71	20.5
258	TIVANOVAC, IVICA		VR	06/22/63	28.4
259	TOMASIC, TIHOMIR		VR	07/14/63	28.4
260	TORDINAC, ZELJKO	195	VR	12/14/61	29.9
261	TOT, TOMISLAV	152	VR	06/06/67	24.5
262	TRALJIC, TIHOMIR	153	VR	07/17/67	24.3
263	TRUBAN, FRANJO		CV	01/01/48	43.9
264	TURK, MIROSLAV	154	VR	04/12/50	41.6
265	TURK, PETAR		VR	06/13/47	44.4
266	TURKALJ, ZELJKO		VR	04/06/65	26.6
267	TUSKAN, DRAGICA	158	VR	10/13/32	59.1
268	TUSKAN, DRAZEN	159	VR	10/26/66	25.1
269	TUSTONJIC, DANE	157	VR	10/10/59	32.1
270	VAGENHOFER, MIRKO	160	VR	06/03/37	54.5
271	VARENICA, ZVONKO		ME	05/19/57	34.5
272	VARGA, VLADIMIR	161	VR	08/17/44	47.3
273	VEBER, SINISA	162	VR	02/22/69	22.7
274	VIDOS, GORAN		PO	05/13/60	31.5
275	VILENICA, ZARKO		VR	02/01/70	21.8
276	VIRGES, ANTUN		VR	04/09/53	38.6
277	VLAHO, MATE		ME	02/03/59	32.8
278	VLAHO, MIROSLAV		ME	12/03/67	24.0
279	VOLODER, ZLATAN		CV	11/23/60	31.0
280	VUJEVIC, ZLATKO		CV	10/28/51	40.1
281	VUKOJEVIC, SLAVEN	164	VR	06/23/70	21.4
282	VUKOVIC, VLADIMIR		VR	11/25/57	34.0
283	VUKOVIC, ZDRAVKO		VR	09/07/67	24.2
284	VULIC, IVAN (1)	264	CV	06/18/46	45.4
285	VULIC, IVAN (2)	264	VR		
286	VULIC, VID	175	VR	09/01/51	40.2
287	VULIC, ZVONKO		PO	06/07/71	20.5
288	ZELJKO, JOSIP		PO	04/04/44	47.6
289	ZERA, MIHAJLO		ME	08/07/55	36.3
290	ZERAVICA, DOMINIK		VR	11/11/59	32.0

291	ZIVALJIC, MILOS		VR	01/01/62	29.9
292	ZIVKOVIC, DAMIR		CV	02/17/70	21.8
293	ZIVKOVIC, GORAN	166	VR	12/20/69	21.9
294	ZUGEC, BORISLAV	242	PO	11/21/63	28.0

Physicians for Human Rights

Physicians for Human Rights (PHR) is an organization of physicians and other health professionals that brings the knowledge and skills of the medical sciences to the investigation and prevention of violations of international human rights and humanitarian law.

PHR was founded in 1986 on the premise that human rights violations carry serious and often profound consequences to health. Since protection of the individual from physical and psychological health is intrinsic to medicine, physicians have a unique obligation to investigate, report and prevent human rights abuses with a direct bearing on health. To that end, Physicians for Human Rights works to:

- Apply the special skills of health professionals to stop torture, "disappearances" and political killings by governments and opposition groups;
- Report on conditions and protection of detainees in prisons and refugee camps;
- Investigate the physical and psychological consequences of violations of humanitarian law and medical ethics in internal and international conflicts;
- Defend the right of civilians and combatants to receive medical care during times of war;
- Protect health professionals who are victims of human rights abuses, and
- Prevent physician complicity in torture and other human rights abuses.

Since 1986, PHR has sent over 40 fact-finding and emergency missions to 25 countries. PHR bases its actions on the Universal Declaration of Human Rights and other international human rights and humanitarian agreements. The organization adheres to a policy of strict impartiality and is concerned with the medical consequences of human rights abuses regardless of the ideology of the offending government or group. The President of the Board of Directors is H. Jack Geiger, M.D.; the Vice President is Carola Eisenberg, M.D. Eric Stover is Executive Director; Susannah Sirkin is Deputy Director; Barbara Ayotte is Senior Program Associate, Gina VanderLoop is Development Director and Jonathan Fine, M.D. is Senior Medical Consultant.